



General Assembly

February Session, 2000

***Raised Bill No. 9***

LCO No. 825

Referred to Committee on Banks

Introduced by:  
(BA)

***An Act Concerning Confidential Records Of The Department Of Banking.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 36a-21 of the general statutes is repealed and the following  
2       is substituted in lieu thereof:

3       [(a) All information obtained by the commissioner or by any  
4       employee of the Department of Banking shall be confidential except  
5       such as should, in the opinion of the commissioner, be imparted in the  
6       performance of official duties.]

7       (a) Notwithstanding any federal or state law to the contrary, the  
8       following records of the Department of Banking shall not be disclosed  
9       by the commissioner or by any employee of the Department of  
10      Banking, or be subject to public inspection or discovery, except as  
11      provided in this section: (1) Examination and investigation reports  
12      and information contained therein or derived therefrom; (2)  
13      information obtained, collected or prepared in connection with  
14      examinations, inspections or investigations; (3) complaints from the  
15      public received by the Department of Banking; and (4) confidential

16 supervisory information obtained from a state, federal or foreign  
17 regulatory agency.

18 (b) Examination [, operating or condition] reports prepared by the  
19 commissioner or prepared on behalf of or for the use of the  
20 commissioner shall be confidential unless otherwise a matter of public  
21 record and no information contained therein shall, except with the  
22 prior written consent of the commissioner, be disclosed or otherwise  
23 made public by any director, officer, employee or agent of any  
24 [financial institution, as defined in section 36a-41,] Connecticut bank or  
25 Connecticut credit union about which such report was prepared.

26 (c) Disclosure of the records described in subsection (a) of this  
27 section shall be made under safeguards designed to prevent further  
28 dissemination of such records. The court shall issue a protective order  
29 to protect the confidentiality of any such record and order that any  
30 such record on file with the court or filed in connection with the court  
31 proceeding be sealed and that the public be excluded from any portion  
32 of the proceeding where any such record is disclosed.

33 (d) Notwithstanding any other provision of this section, the  
34 commissioner may, without waiving any privilege, disclose the  
35 records described in subsection (a) of this section for any appropriate  
36 supervisory, governmental, law enforcement or other public purpose.

***Statement of Purpose:***

To specify the records of the Department of Banking that are confidential notwithstanding any federal or state law to the contrary and provide measures for protecting the confidentiality of such records, including the sealing of such records in court proceedings.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*